



Atty Dkt 9000-0058  
PATENT

1642

#4

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on Sept 24, 2002

09/24/02

Date

Deane Kizer

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

GERDTS et al.

Serial No.: 09/927,408

Art Unit: 1642

Filing Date: August 10, 2001

Examiner: Unassigned

Title: IN UTERO ORAL NUCLEIC ACID IMMUNIZATION

TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is an Information Disclosure Statement, including a Form PTO-1449 and copies of the cited references. It is believed that no fee is due.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: 9/24/02

By: Roberta L. Robins

Roberta L. Robins  
Registration No. 33,208

ROBINS & PASTERNAK LLP  
545 Middlefield Road, Suite 180  
Menlo Park, CA 94025  
Telephone: (650) 325-7812  
Facsimile: (650) 325-7823

RECEIVED

OCT 02 2002

TECH CENTER 1600/2900



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on September 24, 2002.

09/24/02 Kiane Kizer  
Date Signature

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

GERDTS et al.

Serial No.: 09/927,408

Art Unit: 1642

Filing Date: August 10, 2001

Examiner: Unassigned

Title: IN UTERO ORAL NUCLEIC ACID IMMUNIZATION

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The information listed on the attached PTO-1449 forms may be material to the examination of the above-identified application. Copies of the information and completed PTO-1449 forms are submitted herewith. The Examiner is respectfully requested to make this information of official record in the application.

This Information Disclosure Statement under 37 CFR § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the

TECH CENTER 1600/2900

OCT 02 2002

RECEIVED

Atty Dkt No.9000-0058

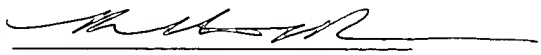
USSN: 09/927,408

PATENT

information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Respectfully submitted,

Date: 9/24/02

By:   
Roberta L. Robins  
Registration No. 33,208

ROBINS & PASTERNAK LLP  
545 Middlefield Road, Ste 180  
Menlo Park, CA 94025  
Telephone: 650-325-7812  
Facsimile: 650-325-7823



Atty Dkt No. 9000-0058

COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231FORM PTO-1449 (Modified)  
LIST OF PATENTS AND PUBLICATIONS  
FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)  
Sheet 1 of 2

In the Application of GERDTS et al.

Serial No.: 09/927,408

Art Unit: 1642

Filed: August 10, 2001

Examiner: Unassigned

Title: IN UTERO ORAL NUCLEIC ACID IMMUNIZATION

RECEIVED

OCT 02 2002

TECH CENTER 1600/2900

## U.S. PATENT DOCUMENTS

Exam. Init.	Ref. Desig.	Document No.	Date	Name	Class	Sub Class	Filing Date
	AA-1						

## FOREIGN PATENT DOCUMENTS

Exam. Init.	Ref. Desig.	Document No.	Publication Date	Country or Patent Office	Class	Sub Class	Translation YES NO
	AB-1						

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Exam. Init.	Ref. Desig.	Description
	AC-1	Butts, et al., "DNA immunization of infants: potential and limitations," <i>Vaccine</i> , <u>16</u> :1444-1449, (1998)
	AD-1	Gerdts, et al., "Fetal Immunization by a DNA Vaccine Delivered Into the Oral Cavity," <i>Nature Med.</i> , <u>6</u> :929-932, (2000)
	AE-1	Gerdts, et al., "Oral DNA Vaccination In Utero Induces Mucosal Immunity and Immune Memory in the Neonate," <i>J. Immunol.</i> , <u>168</u> :1877-1885, (2002)
	AF-1	Le Potier, et al., "Study of the delivery of the gD gene of pseudorabies virus to one-day-old piglets by adenovirus or plasmid DNA as ways to by-pass the inhibition of immune response by colostral antibodies," <i>Vet. Microbiol</i> <u>55</u> :75-80 (1997)

Examiner:

Date Considered:

EXAMINER: Initial if citation considered whether or not the citation conforms with MPEP609. Draw a line through the citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Atty Dkt No. 9000-0058

COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FORM PTO-1449 (Modified)  
LIST OF PATENTS AND PUBLICATIONS  
FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)  
Sheet 2 of 2

In the Application of GERDTS et al.

Serial No.: 09/927,408

Art Unit: 1642

Filed: August 10, 2001

Examiner: Unassigned

Title: IN UTERO ORAL NUCLEIC ACID IMMUNIZATION

Exam. Init.	Ref. Desig.	Description
	AG-1	McCluskie and Davis, "Novel Strategies Using DNA for the Induction of Mucosal Immunity," <i>Crit. Rev. Immunol.</i> , <u>19</u> :303-329, (1999)
	AH-1	Sekhon and Larson, "In utero gene transfer into the pulmonary epithelium," <i>Nature Med.</i> , <u>1</u> :(11), 1201-1203 (1995)
	AI-1	Van Drunen Littel-van den Hurk, et al., "Immunization of Neonates with DNA Encoding a Bovine Herpesvirus Glycoprotein Is Effective in the Presence of Maternal Antibodies," <i>Viral Immunology</i> , <u>12</u> :67-77, (1999)
	AJ-1	Watts, et al. "Fetal immunization of baboons induces a fetal-specific antibody response," <i>Nature Med.</i> , <u>5</u> :427-430 (1999)

RECEIVED

OCT 02 2002

TECH CENTER 1600/2900

Examiner:

Date Considered:

EXAMINER: Initial if citation considered whether or not the citation conforms with MPEP609. Draw a line through the citation if not in conformance and not considered. Include copy of this form with next communication to applicant.